

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

G.R.P MECHANICAL COMPANY, INC.,

Plaintiff,

vs.

**KIENSTRA CONCRETE, INC.,
RCS CONSTRUCTION, INC., and
UNITED FIRE & CASUALTY COMPANY,**

Defendants.

No. 05-CV-00389-DRH

ORDER

HERNDON, District Judge:

The above captioned case, removed to this Court on June 2, 2005, is related to and shares common issues (*i.e.*, “substantially overlaps”) with the earlier filed case of *United Fire & Casualty Co. v. GRP Mechanical Co., Inc.*, Case No. 05-cv-00175-MJR, pending before the Honorable Michael J. Reagan. *GRP Mechanical Co., Inc. v. United Fire & Casualty Co.*, Case No. 05-cv-00389-DRH is pending before the undersigned District Judge.¹

Cognizant of the Seventh Circuit’s position that related cases filed within

¹ In an Order issued August 26, 2005, the Court granted United’s Motion to Sever (Doc. 24) and thereby severed Plaintiff’s claims against defendants Kienstra and RCS from its claims against defendant United. Subsequently, the Court found that it lacked proper jurisdiction over the Plaintiff’s claims against defendant Kienstra and RCS. Therefore, in a separate Order, the Court granted in part Plaintiff’s Motion to Remand (Doc. 4) and remanded back to state court Plaintiff’s claims against defendants Kienstra and RCS. However, the court retained jurisdiction pursuant to 28 U.S.C. § 1332, over Plaintiff’s claims against defendant United and accordingly also denied in part Plaintiff’s Motion to Remand.

the same U.S. District Court should be transferred to (or consolidated before) a single District Judge, ***see, e.g. Smith v. Check-N-Go of Illinois, Inc., 200 F.3d 511, 513 n.1 (7th Cir. 1999); Blair v. Equifax Check Services, Inc., 181 F.3d 832, 839 (7th Cir. 1999)***, the Court **TRANSFERS** GRP Mechanical Co., Inc. v. *United Fire & Casualty Co.*, Case No. 05-cv-00389-DRH to District Judge Reagan for further proceedings. All further pleadings shall bear the cause number 05-cv-00389-DRH.

IT IS SO ORDERED.

Signed this 30th day of August, 2005.

/s/ David RHerndon
United States District Judge